

ORIGINAL

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

United States of America

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

07 CIV 9890

TO: (Name and address of defendant)

JUDGE CONNER

Monticello New York Villas Limited Partnership
9 Genesee Park
Geneva, New York 14456

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia
United States Attorney for the Southern District of New York
By: Carolina A. Fornos, Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOV - 8 2007

J. MICHAEL McMAHON

CLERK



DATE

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: November 8, 2007

COUNTY

Date Filed:

Court Date:

ATTORNEY(S): Carolina A. Fornos AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2740
ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:UNITED STATES OF AMERICA,
vs.
MONTICELLO NEW YORK VILLAS LIMITED PARTNERSHIP, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK COUNTY OF ONTARIO SS.:
GARY M Devaney,

, being duly sworn deposes and says:

Deponent is not a party herein, is over 18 years of age. On 11/20/07 at 10:43AM
at 9 GENESEE PARK GENEVA, NEW YORK 14456, deponent served the withinSummons In A Civil Case, Complaint, Notice of Pendency, Judge's Rules, and Electronic Case Filing Instructions
with Index Number 07 CIV 9890, and Date Purchased November 8, 2007 endorsed thereon,
on: MONTICELLO NEW YORK VILLAS LIMITED PARTNERSHIP, Defendant therein named.#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person
described as said person therein.#2 CORPORATION By delivering to and leaving with Alaine T. Espenscheid, ATTY and that deponent knew the person
so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.Service was made in the following manner after your deponent was unable, with due diligence, to serve the
witness/defendant in person, and an attempt to locate the defendant's place of employment.#3 SUITABLE AGE PERSON By delivering a true copy of each to _____ a person of suitable age and discretion.
Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business
[] dwelling house (place of abode) within the state.#5 MAIL COPY On _____, deponent completed service under the last two sections by depositing a copy of the
postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive
care and custody of the United States Post Office in the State of _____ Certified Mail No. _____Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called
thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#6 NON-SRVC After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity
being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding
[] Address does not exist [] Other: _____#7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex FEMALE Color of skin WHITE Color of hair Gray Age 55-70 Height 5'4-5'8
es: Glasses

ing expenses were paid (tendered) to the recipient.

e recipient was presently in military service of the United States Government or of the State of
informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.*Alaine T. Espenscheid*

Attorney at Law

(315) 781-6311
FAX: (315) 781-54769 Genesee Park
Geneva, New York 14456

2007

X
ROLES
SERVOR

Please Print Name Below Signature

*GARY M Devaney*WINFRED C. SCOTT
Notary Public, State of New York
Ontario County, No. 4614971
Commission Expires Nov. 30, 2009

Invoice Work Order # 0756056

CAPITAL PROCESS SERVERS, INC. 265 POST AVENUE SUITE 150, WESTBURY, NY 11590 - TEL 516-333-6380 • FAX 516-333-6382